

**Tennessee Board of Medical Examiners’  
Committee on Physician Assistants  
July 8, 2005**

**Minutes**

**A regular meeting of the Tennessee Board of Medical Examiners’ Committee on Physician Assistants was held in the Cumberland Room located on the Ground Floor of the Cordell Hull State Office Building on July 8, 2005.**

**Members Present: Glen Alexander, PA; Nancy Parton, PA; William Blalock, PA and Jonathan White, PA**

**Member Absent: Rory O’More, PA; Janet Johnson, OPA; Anne Arney, Consumer Member**

**Staff Present: Rosemarie Otto, Executive Director, Robert J. Kraemer, Jr., Associate General Counsel; LaTonya Shelton, Administrator, Marsha Arnold, Unit Manager; Jerry Kosten, Rule Coordinator**

**Nancy Parton, Committee secretary called the meeting to order at 9:05 a.m. in the absence of Committee Chairman Mr. O’More. The Secretary determined that a sufficient number of members were in attendance to constitute a quorum.**

**Election of Officers**

**William Blalock made a motion to nominate Glen Alexander for Chairman, Jonathan White seconded the motion. The motion passed unanimously. William Blalock made a motion to nominate Nancy Parton for Secretary and Glen Alexander seconded the motion. The motion passed unanimously.**

**Approval of Minutes**

**Jonathan White made a motion to approve the minutes of the April 22, 2005 meeting. William Blalock seconded the motion. The motion passed unanimously.**

**Financial Report**

**Robbie Bell, Director of Health Related Boards, stated the financial report indicated a projected cumulative balance of \$169,112.50. Ms. Bell also reported on the move to Metro Center French Landing Building stating that the meeting facilities will be much better than the present one and the parking will be easier. She also reported on the new RBS system and that it should be up and running within the next year.**

### **Disciplinary Report**

The Committee reviewed the written report submitted by Ms. Lea Phelps, the disciplinary coordinator which indicated two licensees are being monitored and are in compliance.

### **Investigations Report**

In the absence of Denise Moran, Director of the Bureau of Investigations, Lea Phelps informed the committee that there are sixteen open complaints in the Bureau of Investigations regarding physician assistants.

### **Manager's Report**

Marshal Arnold reported on the activities that have transpired in the administrative office between April 1, 2005 and June 30, 2005 concerning Physician Assistants and thus are as follows:

32 new applications, 22 new licenses, 94 mailed out renewals and 3 licensure reinstatements. The actual processing time of renewals in our office is 7.7 days. The actual processing time for new applications in our office is 69 days. The number of active licensees as of June 30, 2005 is 750.

### **Ratification of New Licenses, Temporary Permits and Reinstatements**

Jonathan White made a motion to ratify the new licenses, temporary permits, and retirements. William Blalock seconded the motion. The motion passed unanimously.

### **Tennessee Professional Assistant Program (TNPAP)**

Mr. Mike Harkreader discussed the TNPAP report with the Committee. For the period of March 2005 through May 2005 TNPAP had a total of four (4) participants referred from different sources. Mr. Harkreader also informed the committee that one participant was discharged for non-compliance and has been turned over to Investigations.

### **OGC Report**

Mr. Kraemer informed the Committee that the Disciplinary Rule (03-1318) went into effect November 22, 2004 and that the Volunteer Practice Rule (04-1546) went to rule making hearing on December 21, 2004. The amended volunteer Practice Rule was adopted by this committee on January 7, 2005 and the Medical Board on January 18, 2005 and sent to the Attorney General on January 26, 2006 and is still there. The Criminal Background Checks (05-1025) rulemaking hearing was on March 18, 2005 and the amended rule was also adopted by the Committee on April 25, 2005 and the Medical Board on May 17, 2005 and sent to the Attorney General on May 23, 2005 and is still there. Mr. Kramer also stated that there were three cases open in the Office of General Council pertaining to the Board of Medical Examiners' Committee on Physician Assistant. Mr. Kraemer also discussed the

following Legislation: Public Chapters 113, 118, 167, 172, 208, 333, 434, 467, and 472. Mr. Kraemer also informed the Committee that legislation had passed allowing physician assistants to be a part of a Limited Liability Company. He reported that rules will be ready for them at the next meeting for review and possibly sending to a Rule Making hearing.

### **Applicant Interview**

Anne Weir, PA was present with her attorney Chip Herndon. Ms. Weir let her license lapse in October 2004 and applying to reinstate her license. Ms. Weir stated the reason for her lapsed license was that the office administrator failed to release a check for her renewal. The Medical Consultant and the Physician Assistant Consultant both decided that Ms. Weir should come in for an interview before the Committee because she had noted in her reinstatement application that she had a pending legal action against her to which she is a party. The legal action against Ms. Weir was a lawsuit involving the death of a young male that she stated was treated by her after he had been severely assaulted. He later overdosed and died. His family subsequently sued her Mr. Chip Herndon, legal counsel for Ms. Weir distributed information to the Committee members about the lawsuit which included information about the autopsy of the young male in question. While Mr. Herndon was distributing information Mr. Kramer asked Ms. Weir if the Committee reviewed these documents without fear of future disqualification should a hearing take place. Ms. Weir and her legal counsel said that it was fine. The Committee approved reinstatement of licensure pending a positive evaluation from Tennessee Physician Assistant Program. The Committee also recommended that Ms. Weir seek advocacy from TNPA and it was seconded by Jonathan White. The motion was carried unanimously. After the motion carried Ms. Weir was clearly upset with Committee's decision. She continued to express her unhappiness despite being admonished by her attorney. No further questions were asked or answered and Ms. Weir left the meeting room.

### **Rule Action**

The Committee heard from Jerry Kosten, Rules Coordinator. Mr. Kosten presented the Committee with a rule and requested them to authorize a rule making hearing on September 22, 2005 regarding (1) determinations of death (2) advertising and use of titles (3) screening panels and (4) prescription writing. After questions, answers and discussion, Glen Alexander made a motion to authorize the rule making hearing. The motion was seconded by Jonathan White. The motion carried unanimously.

### **CME audit**

Ms. Otto informed the Committee that there was a high level of compliance and that there would be a full report at the October meeting, if Ms. Eyler were available.

**“Noteworthy” on the Internet.**

**Nothing to report.**

**The next scheduled meeting is October 7, 2005 at 9:00 a.m. in the Cumberland Room.**

**The meeting adjourned at 10:30 a.m.**

**Approved this 7<sup>th</sup> day of October, 2005 by the Committee on Physician Assistants.**

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**Secretary**

**G5016006/PA**